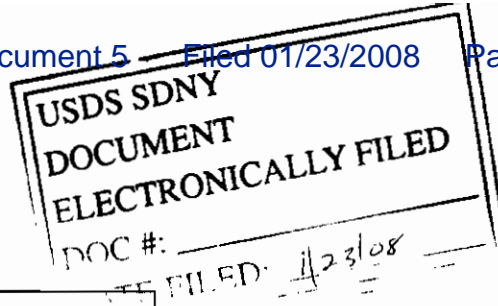


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Derrick Morton,
02 A 2842 Petitioner,

– against –

Robert Ercole, Superintendent,
Green Haven Correctional Facility,

Respondent.

Case No.08 CV 0252 (RJS)
ORDER TO SHOW CAUSE

RICHARD J. SULLIVAN, District Judge:

Upon the petition for issuance of a writ of habeas corpus pursuant to 28 U.S.C. 2254, a copy of which is annexed, it is hereby ORDERED that:

Respondents shall show cause why a writ of habeas corpus should not be issued.

The Clerk of the Court shall serve a copy of this Order, the underlying petition, and supporting documents, if any, contained in the Clerk's file by certified mail, upon the Attorney General of the State of New York, Andrew Cuomo, Law Department, 120 Broadway, New York, NY 10271 and Robert T. Johnson, District Attorney, Bronx County 198 E. 161st Street, Bronx, New York 10451 and shall also mail a copy of this Order to counsel for the petitioner. Respondent shall file an answer or motion and a notice of appearance herein within sixty (60) days from the date of this Order. Transcripts of all relevant proceedings, the briefs submitted on appeal, and the record in any state post-conviction proceedings shall be submitted.

IT IS FURTHER ORDERED that petitioner shall have thirty (30) days from the date on which he is served with respondent's answer to file a response. The petition will be considered fully submitted as of that date.

SO ORDERED.


Richard J. Sullivan
U.S.D.J.

Dated: New York, New York
January 23, 2008